

# Catawba Journal.

VOL. III.]

CHARLOTTE, N. C. TUESDAY, JANUARY 9, 1827.

[NO. 113]

PUBLISHED WEEKLY

By LEMUEL BINGHAM,

At Three Dollars a year, paid in advance.

No paper will be discontinued, unless at the discretion of the editor, until all arrears are paid.

Advertisements will be inserted at the usual rates. Persons sending in advertisements, are requested to note on the margin the number of insertions, or they will be continued until forbid, and charged accordingly.

## OFFICIAL PAPERS.

### On our Relations with Great Britain.

From Mr. Clay to Mr. Gallatin.  
(Accompanying the President's Message.)

To ALBERT GALLATIN,  
Envoy Extraordinary and Minister Plenipotentiary of the United States, London.

DEPARTMENT OF STATE,  
Washington, 11th Nov. 1826.

SIR: Agreeably to the intimation given in my letter, under date the 31st ultimo, I proceed to communicate to you the view which has been taken here of the official note of His Britannic Majesty's principal Secretary of State for Foreign Affairs, addressed to you on the 11th September last.

If the British Government had contented itself with simply announcing in that note, its determination no longer to treat with that of the U. States, on the intercourse with the British colonies, however unexpected by us such a determination would have been, we might have felt ourselves bound silently to acquiesce in the declared pleasure of His Britannic Majesty's Government. Two parties, at least, are necessary to the conduct of any negotiation; and if one absolutely declines treating, the other, of necessity, must abide by his decision. But the British Government, not satisfied with merely communicating the fact of its resolution, no longer to negotiate with the United States, for an arrangement of the colonial trade, which might reconcile the interest and wishes of both parties, brings forward new principles, to some of which we cannot subscribe, and seeks to cast upon us the blame of the want of success which has attended past endeavors to effect that object, which we cannot admit. The frankness which has ever characterized all our correspondence with the British Government, requires that our objections to those principles, and our dissent from such an imputation, should be respectfully stated. In doing this, I will begin with a brief statement of certain general propositions which are supposed to be incontestible.

It is the undoubted right of every nation to prohibit or allow foreign commerce with all, or any part, of its dominions, wherever situated, and whatever may be their denominations, parental or colonial, or the modes of government in the respective parts. It may prescribe for itself the conditions on which the foreign trade is tolerated; but these conditions are not obligatory upon other nations, unless they, in some form, assent to them. All such conditions, in respect to foreign Powers, are in the nature of proposals which they are as free to accept or decline, as the other party was to tender them. If a nation has colonies, it must unquestionably reserve to itself, exclusively, the right of trading with them.

But it cannot be admitted that, in regard to foreign Powers, there is any thing in the nature and condition of colonies, or in the relation which subsists between them and the country to which they belong, which distinguishes the power of regulating their commerce from that which is exercised over the parent country. That parent country may have its motives of jealousy or policy for a rigorous exclusion of all intercourse between its colonies and foreigners. But the moment it chooses to relax and open its colonial ports to a foreign trade, whether the relaxation is moved by a temporary or permanent interest, or necessity, the right is acquired by foreign States to examine and judge for themselves the conditions on which they are proposed to be admitted, and to reject or accept them accordingly. This right of foreign nations is conceded, in the official note which I am considering, when the colonial power is urged, by the pressure of immediate wants, to throw open, for a time, its colonial ports, but is denied when it chooses to open them permanently. The

right, in both instances, rests upon the same grounds, and that is, that, in all commercial exchanges, national or individual, the parties to them are equal, and have the same independent power of judging each for himself; and there is much more reason, on account of the greater duration of the interest, that the right in question should be exercised in a permanent than a temporary trade.

All commerce is founded upon mutual convenience and advantage. And this principle is equally applicable to a commerce with colonial possessions, and with the country to which they belong, or to any other country. In trading with any colonies, we have no more imagined that a privilege had been gratuitously conceded to us, than that we had made such a concession to the colonial power, in allowing its colonies to trade with the United States. It cannot, therefore, be admitted, that any other compensation is due from the United States to Great Britain for the permission to trade with her colonies, than that which springs from the mutual exchanges which are the object of that and of all commerce. If the prosecution of any given trade be found upon experiment unprofitable to either party, that party will no longer pursue it; and we may safely confide in the discernment of individuals to repress or stimulate adventure, according to the loss or gain, which may be incident to it. The British Government, fully sensible of this salutary law, was supposed, in the recent liberal commercial policy which it professed to have intended, by the example of her homage, to have inculcated its observance upon all nations.

The idea, that the admission into Colonial ports of foreign vessels is a boon granted by the parent country, that is, a benefaction without equivalent, is as new as it is extraordinary. In that intercourse which has been allowed by the British Government between its colonies and the United States, never fully opened, sometimes entirely closed, and when reluctantly admitted, fettered by numerous restrictions, we recognise any thing but a boon. The leading motive which appears to have actuated the British Government, in respect to the exchange of American and Colonial produce, has been to sell here, what could be sold, if sold at all, no where else so profitably, and to buy of us exactly so much as she could obtain no where else, at least so profitably.

On our side, whenever the trade has been open, there have been no restrictions, as to the objects of exportation from the United States to the British Colonies. An enumeration here of the numerous prohibitions and restrictions on the British side, upon articles both of Colonial and American produce, would extend this paper to a most unreasonable length. And with respect to the transportation of the subjects of the limited trade, the aim of the British Government has been, by all its regulations, to engross a disproportionate share.

This intention was clearly developed in the treaty of 1794, and has been adhered to, with steady perseverance, during the thirty-two intervening years. Such an intercourse deserves to be characterized in any other way than that of a British boon to the United States.

It cannot be admitted, that the fact that the United States have no colonies, varies the principles applicable to an intercourse with the British Colonies. In the consideration of the conditions on which a foreign trade shall be tolerated, it is of no consequence what name, or what government a State may choose to bestow on the several parts of its dominions. Some of the territories of the United States are governed by peculiar local forms, altogether different from those of the States of the Confederacy, but we have never contended that this anomaly ought to affect the regulation of our commercial intercourse with foreign Powers. A country having no colonies may be so situated as to afford the same kind of productions as both another country and its colonies. And there may be a greater difference in the nature and value of the productions of two different countries, neither of which have colonies, than exists between those of a country and its colonies, and another which has no colonies. It might as well be argued that the fact of twenty-four States composing this Union, entitles it to demand concessions from all other Powers whose territory is not

divided into an equal number of similar parts, or that the United Kingdom, being constituted by the union of three kingdoms, would be justified in demanding, upon that ground, from any power, composed only of a single kingdom, more than it granted. In all commercial intercourse between different Powers, the question resolves itself into one of profit and loss. If it be the interest of the parties, that the trade should be allowed, it is altogether immaterial how those territories are governed or divided; both have an equal right to judge of the conditions of the intercourse. It would be most strange if the fact of a foreign State (Sweden for example) possessing a Colony, no matter how unimportant, entitle such State to treat on different principles with Great Britain, in respect to an intercourse with her Colonies, from the United States.

Neither can it be admitted that the possession of Colonies entitles the nation holding them, to the exclusive enjoyment of the circuitous navigation between the parent country, and a foreign country, through any or all of those Colonies, upon the ground of its being the prosecution of a Colonial trade, which is understood to have been taken by Great Britain. If the connexion between the United Kingdom and its numerous Colonies is to be regarded in the light of that of a continuous coast, it must be allowed that this coast has very great extent. It passes around Cape Horn, doubles the Cape of Good Hope, crosses the Atlantic Ocean, penetrates almost every sea, touches every continent, and encircles the Globe. A Colonial Coasting trade of this universal reach, presents none of the properties of an ordinary coasting trade, except that of the identity of sovereign power. The foundation on which nations are supposed to reserve to themselves, exclusively, their own coasting trade, is not merely that of monopoly, but principally because they are thereby better enabled to check all invasions of their own laws—a reason which is inapplicable to the widely dispersed condition of the British Colonial possessions.

Entertaining such opinions as have been herein stated, in regard to the power of commercial regulation, the Government of the United States has always conceived that the trade between them and the British Colonies was open to all considerations, which are applicable to any other trade, and that it was consequently a fit subject of arrangement by treaty, or in any manner by which any other trade might be regulated. Great Britain may, undoubtedly, if she pleases, deny to herself the advantage of consulting with foreign Powers, through the accustomed organs of intercourse, as to the conditions on which, with mutual benefit, the trade may be carried on. But if she choose to restrict herself to the single mode of regulating it by act of Parliament, it cannot be admitted either that such restriction is a necessary consequence from the nature of Colonies, or, as will be hereafter shown, that it is in accordance with the practice of the British Government itself.

The British Secretary of State alleges that, in 1822, the British Government opened the Colonial intercourse to us, and withheld it from all other Powers; that, in effect, we thereby acquired a monopoly in the supply of the consumption of the British West Indies; but that Great Britain did not preclude herself from the right to open her colonial ports to other nations whenever it might suit her purposes. We did not ask that Great Britain should shut her colonial ports to other Powers. The occlusion was, no doubt, in consequence of the estimate which she made of her own interests, without any intention to confer an exclusive benefit upon us, as the opening of them by the act of 1825, is according to a similar estimate. We have no right to complain, and never have complained, that Great Britain seeks for the United Kingdom and for its Colonies the best markets for sale and purchase, any more than we anticipate any complaint from her, if, when we are driven from her Colonial ports, we should exercise the like liberty. If she has reason to felicitate herself that, by the course of events, she is enabled to draw from other sources those supplies which her Colonies had been in the habit of obtaining from the U. States, we have, perhaps, occasion for equal congratulation that, by the same or o-

ther events, markets have been opened to us, which may be found ample substitutes to those which it is her pleasure to close against us.

As to the monopoly which it is alleged, we have enjoyed, it should be observed, that the relative position of the British West India Colonies to the U. States, and the nature of their respective climates and productions, are eminently favorable to a mutually beneficial commerce between them. From their proximity to the United States, they find their convenience in drawing from us those perishable and bulky articles which they want, rather than from more distant countries. If the West India Islands were situated on the European instead of the American side of the Atlantic Ocean, and Europe could supply as cheaply and abundantly the same description of articles as the United States, the British W. I. colonies would prefer obtaining their necessary supplies from Europe. The United States contribute to other West India Colonies, in as great extent, and share in the navigation between them as largely as they do in their intercourse with those of Great Britain. This is the effect of the law of proximity. If it be a monopoly, it has emanated from no human power, but from a much higher source. Far from repining at the dispensation of Providence, nations contented with the portion of his bounty which has been allotted to each other, would do well to acquiesce, with cheerful submission, in the arrangements of the Universe, which, in his wisdom, he has thought proper to order.

The United States have never made it a subject of serious complaint that, for the indulgence which their laws have granted of unrestricted liberty of importation or exportation of whatever is produced or manufactured in the United States, or in the British Colonies, respectively, they have been met in return, with a long catalogue of prohibitions and restrictions, including some of the staple commodities on both sides. Although they have desired the abolition of those restrictions, they have left it to the sole and undisturbed consideration of the British Government, whether the prosperity of their Colonies themselves, would not be best promoted by the application to the intercourse of those liberal principles which have obtained the sanction of the present enlightened age. The Government of the United States has contented itself with insisting that, circumscribed as the trade has been according to the pleasure of the British Government, the regulation of the navigation employed in it should be founded on principles of reciprocity, so as to allow fair competition between the vessels of the two countries.

The position now assumed, that Colonial trade with foreign States is not a fit subject for negotiation with those States, but belongs exclusively to the regulation of the parent country, is entirely new. It is not sustained by the practice of other powers having Colonies. It is not sustained by the practice of Great Britain herself; and this brings me to the consideration of what has passed between the two Governments in relation to this trade.

They negotiated on that subject, to go no further back, in the year 1794: Their negotiations resulted in the 12th article of the treaty of Amity, Commerce, and Navigation, which was then concluded. The very fact of treating, between two independent states, implies the right in each of considering and determining the mutual propositions which may be offered. The two Powers again negotiated on the same subject in 1796, and because the Government of the United States did not conceive that the concessions of Great Britain, contained in the 12th article of the treaty of 1794, were equivalent to the concessions on their side, it was annulled. They again negotiated in 1815, and actually entered into stipulations which, as you well know, form a part of the Convention of the third of July, of that year, for the regulation of the British East India trade; but, not being able to come to any agreement, in regard to the British West India trade, it was left to the two countries to regulate this subject by their respective laws. On that occasion, it was stated by Lord Castlereagh, that the British Government would not regard as unfriendly, any measure which the United States might think it expedient to put into operation

for the regulation of that trade. And, to guard against all misconception, it is moreover expressly provided, in the treaty itself, "that the intercourse between the United States and His Britannic Majesty's possessions in the West Indies, and on the continent of North America, shall not be affected by any of the provisions of this article, but each party shall remain in the complete possession of its rights with respect to such an intercourse." With what propriety, then, can it be affirmed, that "to withhold from the ship of a country having Colonies, trading from the mother country to a foreign State, under a regular treaty between the two countries, the right of clearing for another port belonging to that mother country, in another part of the world, is an injury"—an injury "undoubtedly in deviation from the spirit of the treaty?" The regular treaty referred to, excludes, by its positive terms, all regulation of the intercourse between the United States and the British Colonies in the West Indies. And yet it is contended, that Great Britain has the right, according to the spirit of the treaty, not only to the benefit of the application of its provisions, to a subject which it alone professes to regulate, but to have them applied also to another subject, which is expressly declared not to be regulated, and as to which, both parties are left in the "complete possession" of all their rights. And this is insisted upon, in behalf of Great Britain, without any corresponding privilege on the part of the United States. If the treaty be competent to carry a British vessel through the British West India ports to the United States, and vice versa, whilst under similar circumstances, those ports are to remain shut, by British authority, against a vessel of the United States, it would equally entitle such British vessel to pass through the ports of any and every country upon the globe, to and from the U. States. The United States might, without any violation of the Convention of 1815, interdict all intercourse with the British West Indies, direct or circuitous. And surely the right to adopt the stronger and more comprehensive, includes the choice of the weaker measure, that of prohibiting to be done, by British vessels, what Great Britain prohibits, under analogous circumstances, American vessels from doing. It is alleged that that right, from the enjoyment of which we are interdicted by British regulation, nevertheless existed in Great Britain antecedently to any treaty, and at a period when no claim to any trade with British colonies had even been whispered by the United States. As a right it never existed one moment, since the independence of the United States. If the privilege were exercised, it was from their moderation and by their sufferance. Since that epoch, we are unaware of any period of time, when the United States did not claim a reciprocal intercourse with the British Colonies.

The two countries again unsuccessfully negotiated, in relation to the Colonial trade, in 1817, when Lord Castlereagh submitted a draft of four articles, which did not prove acceptable, and in 1818 and 1819, and finally in 1824. What was the footing on which the intercourse had been placed, by the laws of the two countries, at the period of opening the last negotiation, you will see by adverting to the instructions of my predecessor, under date 23d June, 1823, with a copy of which you have been furnished. The long and arduous discussions which took place between Mr. Rush and Messrs. Huskisson and S. Canning, in 1824, brought the parties very near together. Each exchanged with the other the proposal with which he would be satisfied, but as they could not then agree upon either, it was concluded to suspend the negotiation, with a distinct understanding on both sides, that it should be again resumed on some convenient day; [see protocol of the 25th conference, page 131 of the printed pamphlet.] From a comparison of the American and British proposals [see the former annexed to the protocol of the third conference, marked A, page 133 of the same pamphlet, and the British counter-project, marked L, page 142—see also the British paper marked W, page 135,] it will be seen—

1. That both parties were willing to abolish all discriminating duties on either side.

(Continued on last page.)



[Continued from fourth page.]  
ting duty of impost or tonnage, direct or indirect, whatsoever, other or higher than is levied upon the vessels and merchandise therein imported, belonging to the subjects or citizens of each of the said nations respectively."

Thus, therefore, to comply with the conditions of the act of Parliament, we must first have allowed British vessels to import into the United States the produce of any foreign country whatever, upon the payment of the alien duties, although vessels of the United States are and should have remained prohibited to import into British ports like produce upon any terms whatever. And 2ndly, we must have abolished or suspended our discriminating duties, placing Great Britain upon the footing of the most favored nation, in whose behalf we had abolished or suspended them, although it now appears, from the avowment of Mr. Canning, that duties of at least an equal amount have been, since the adoption of the order in council, in the year 1823, and now are, levied upon American vessels and their cargoes in British Colonial ports.

So stood our law, and such must have been our compliance with the conditions of the Act of Parliament at the time of its passage. But we suppose it to have been the understanding of the British Government, that, if subsequent to that period, we should grant to any foreign nation still greater privileges than those above described, by treaty or otherwise, in consideration of equivalents or not, such more extensive privileges must have immediately accrued to the United Kingdom and its possessions abroad, upon the rule of the most favored nation, or we must have subjected ourselves to the forfeiture of the Colonial trade, denounced by the act of Parliament.

Now, subsequently to the date of that act, to wit, on the 6th December last, we concluded a treaty with the Republic of the Federation of the Centre of America, which, having been afterwards ratified by both parties, is now in full operation. By this treaty it is stipulated, that whatever can be exported from, or imported into, either country, in its own vessels, or from any foreign place whatever, may, in like manner, be exported or imported in the vessels of the other country, the vessel and the cargo paying in both cases the same and no higher duties, and consequently neither paying the Alien Duties. If we had entitled ourselves by the fulfilment of the required conditions, to an intercourse with the British Colonies, we would now be obliged, in order to retain the right to that intercourse, to allow British vessels, both of the parent country and its possessions abroad, a liberty of exportation and importation coextensive with that of the vessels of the United States, although the interdiction of the British law of navigation should remain in full operation on the vessels of the United States.

If we are mistaken in the extent of the concessions required by the British government, to place the United Kingdom and its possessions abroad, on the footing of the most favored nation, the best and most friendly mode of correcting our error would have been, to have accompanied an official communication of the Act of Parliament with a full and frank explanation of those conditions, the performance of which, on our part, would have satisfied that Government. By withholding all explanation, if the Congress of the United States had legislated on that subject at its last Session, it must have acted either 1st, upon the exposition of the condition of the act of Parliament now given; or, 2ndly, upon the views of the British Government as disclosed in the negotiations of 1824. It could not have conformed to the conditions of the Act of Parliament, as we understand them, without a manifest sacrifice of the interests of the people of the United States, and an abandonment of those principles of reciprocity for which they have ever contended in all their negotiations with foreign Powers. It now appears that it would have been unavailing, if Congress had legislated in compliance with the views of the British Government, as presented in the negotiations of 1824. According to those views, that Government was then willing that the trade between the Colonies and the United States should continue restricted, as it then was, by the laws of the two countries, to the direct intercourse; that is to say, that a British vessel clearing from the United States for a Colonial port, should be bound to land its cargo in that port; and an American vessel clearing from the Colonies for the United States, should be bound to land its cargo in them. But without any intimation to us, through the regular diplomatic channels, of an alteration in their views, Great Britain has now changed them, and on the 11th September, 1826, for the first time, announces her determination not "to consent to enter into any renewed negotiation upon the intercourse between the United States and the British Colonies, so long as the pretension [the above restriction as to the direct intercourse] recorded in the act of 1823, and there applied to British Colonies, alone, remains part of the law of the United States." And we are also given to understand, "that the British Government further owes it to the spirit of

frankness which it wishes to cultivate in all its relations with the United States, to declare, that, after having been compelled to apply to any country the interdiction prescribed by the act of 1823, the British Government cannot hold itself bound to remove that interdiction, as a matter of course, whenever it may happen to suit the convenience of the Foreign Government to reconsider the measures by which the application of that interdiction was occasioned." The pretension referred to, is the exact counterpart of a similar pre-existing pretension contained in the act of Parliament of 1822. The British Government does not appear to have reflected, that its rejection of all negotiation on the subject, deprives it of the best of the only two modes of getting rid of the exceptionable restriction.

From what has now been advanced, it has been established, 1st. That the Colonial Trade was a fit subject for the adjustment, by friendly negotiation between the two Powers, of the condition on which it should be carried on; 2ndly, that it has been long, and often, in fact, a subject of negotiation between them; and 3dly, that the American Government was bound to conclude, from every thing which passed between the two Governments, that both parties entertained the expectation that it was to be arranged by negotiation, and only by negotiation. It was under this full conviction that your general instructions were prepared.

What may be the nature of the proposals which you were authorized to make, upon the renewal of the negotiation so confidently anticipated, it is not now proper should be communicated to the British Government. Respect for ourselves, no less than for that Government, forbids that we should obtrude upon their consideration proposals against which they have deemed it proper to shut their ears. It will be, however, no violation of that respect, to say, that they were of a character, on all the disputed points between the two Governments, authorizing us to believe that they would be satisfactory.

The Government of the United States is animated by the sincerest desire to maintain, with that of Great Britain, not merely the forms of courtesy and amity, but to cultivate a cordial and lasting friendship to settle every controverted question between them upon principles of justice and reciprocity; and, by an enlarged liberality in their mutual intercourse, to advance the real prosperity of both. Entertaining this desire, it has learnt, with the most lively regret, the resolution of the British Government to close the door against those friendly explanations, and that frank and mutual exposition of the wishes and views of the parties, which are, or should be, the object of all negotiation. The harmony of nations requires that every avenue to such explanations should always be kept fully open. But such a free access, on all questions, appears to the Government of the United States to be especially desirable between two such nations as Great Britain and the United States, whose interests and happiness are intimately interwoven. By rejecting the ordinary mode of treating, through the established agency of accredited ministers, and substituting to it that of mutual legislation, which, after all, is but another, though less advantageous mode of negotiation, we deprive ourselves of many facilities. Congress and the British Parliament are numerous bodies, acting in different and distant spheres, and it is not derogating from their undoubted wisdom and superior intelligence, to suppose that their organization is not the best suited to the exercise of diplomatic functions in all cases.

A single word of explanation, an instantaneous suggestion of the modification of a proposal elicited in conference, may lead to the adjustment of a difference when ministers are treating face to face, which might not be settled for a long time in a negotiation conducted between two bodies, each composed of several hundred members, separated by the Atlantic ocean. We do not mean to bring forward any formal complaint against Great Britain, on account of her determination to exclude one of the means which experience has evinced to be best adapted to the accommodation of national differences. Our main purpose is to show that the United States are not justly chargeable with the consequences which may flow from that most unexpected decision.

As the only alternative which the course adopted by that Government has left, the President has determined to give a signal proof of his anxious wish to preserve a good understanding between the two Governments, by laying the whole of the correspondence, which has passed between them on this subject, including the instructions to our several Ministers at the Court of St. James, before Congress, at its next session. The wisdom of that body, in the actual state of things, is alone competent to decide whether the Colonial intercourse shall remain closed according to the pleasure of the British Government as manifested in the late Order in Council, and whether that portion of it left open by the Order shall remain open, or on what conditions, compatible with the interests of the People of the United States, Congress is willing the trade should be placed.

You will accompany the communica-

tion of the substance of this despatch, or the substance of such part of it as you may not have anticipated in any answer to Mr. Canning's note, presented from yourself to the British Government, with the assurance that, notwithstanding their present decision, the Government of the United States, at all times hereafter, will be ready, at Washington or at London, to treat of the Colonial intercourse, whenever it may be their desire or inclination to negotiate on that subject.

I am, with great respect, your obedient servant,

H. CLAY.

The letter from Mr. Gallatin to the Secretary of State, which we publish today, furnishes sufficient evidence of the propriety of the course hitherto pursued by the government of the United States, in endeavoring by negotiation to effect an accommodation of the differences existing with England, in relation to their Colonial trade. The provisions of the various acts of Parliament have so enveloped the whole subject in obscurity, and left so many points for difference of opinion, that in the absence of an explanation by that government, it will be impossible to understand what they mean, and unsafe for our own to act upon any construction which it may suppose to be the correct one. In the concluding paragraph of the extracts from Mr. Gallatin's letter, he says—

"It seems to me that the intricacy of these several acts of Parliament, and the difficulty of understanding their precise meaning, might have been considered by the Government of Great Britain as sufficient reason, why that of the United States might not have been disposed to accept the conditions on which, by those acts, the intercourse was opened with the British Colonies, without having previously, at least, come to an understanding of their true intent and meaning. In point of fact, it was understood by the American Government, that one of those conditions was a prohibition to export goods in American vessels, from those Colonies, to any other country than the United States."

Nat. Journal.

From the Kentucky Reporter.

Extract of a letter from a gentleman in Ohio to the Editor.

"Our 'black list' has become a white one: the opposition had their ticket headed 'the people's ticket,' but the people beat their own ticket. Ohio would now give ten thousand majority for Adams, and daily increasing. How stand affairs in Kentucky as to the administration?"

No candid man can we think doubt the popularity of the administration in this State. Its measures and course of policy are approved of by the great mass of the people, and the people of Kentucky are for measures and principles in preference to men. The opposition is personal and vindictive in its character; though the leaders are very active, their party rather declines than increases in strength. The eight members of Congress in favor of the Administration will undoubtedly be re-elected in their respective districts. Whether either of the four Opposition members will be re-chosen is more than we can venture to assert. All of them will not. The contest in their districts will be close, while the Administration members, if any opinion can now be formed on the subject, will be re-elected by large majorities, perhaps without opposition.

LOUISIANA.—The following facts are proof of great attention to education in Louisiana:

In 1811, the Legislature appropriated \$39,000 to the establishment of a college, and a school in each county.

By the same act \$3,000 was appropriated annually for the support of the college, and \$300 a year for each school.

In 1819, the allowance for the support of schools was increased to \$600, and in 1821 to \$800 a year each. Since which, \$5,000 a year has been appropriated for the support of another college, at Jacksonville, in the same State.

PETERSBURG, VA. DEC. 15.

Murder of Seva Thayer.—Within a day or two past, circumstances have been brought to light, which lend new horror to this most mysterious and shocking transaction. An individual has been taken up and committed to prison, charged as the perpetrator, who if he be proved to be guilty, the crime will stand almost alone in its unparalleled enormity. The precise nature of the evidence against this person, we have not been able to ascertain; and even if we knew, it would be improper, in the present stage of the business, to communicate it. However, we shall not fail to publish the result of the examination, which is expected to take place in a few days.—*Intelligencer.*

MACON, GA. DEC. 18.—A serious affair took place at the Penitentiary on Saturday evening. About sunset, as they were closing the prisons, the convicts rose upon the Keepers and Guard in a body, and succeeded in wresting several muskets from them. A skirmish then commenced, which lasted a considerable time, in which two of the convicts were killed, and a number wounded. The Principal Keeper and one of the Assistants dangerously wounded. None of the convicts escaped. Telegraph.

## The Journal.

CHARLOTTE:

TUESDAY, JANUARY 9, 1827.

Owing to a disarrangement of the mails, consequent on the new contracts going into operation, the last northern mail brought not a single letter beyond Salisbury, and only two papers—one from Hillsborough and another from Milton. Our columns are consequently barren of intelligence.

Although we have a direct mail from this place to Fayetteville, yet the papers from the latter place are very irregularly received. The Observer and Journal due last week, have not yet come to hand; and it is seldom they are both received at the proper time.

General Assembly.—We learn that Bartlett Yancey was elected Speaker of the Senate, and John Stanley Speaker of the House of Commons; and that the old officers generally, were re-elected. This is all the intelligence we have received from Raleigh since the Legislature has been in session. The Governor's Message, if it have no other recommendation, will have that of age, when it reaches us.

The failure of the mail has enabled us to spread entire before our readers Mr. CLAY's letter to Mr. Gallatin on the subject of the West-India trade, and the recent British Order in Council closing it to our ships. We hope its length will deter no one from reading it—it will well reward an attentive perusal.

Hamilton Fulton.—In the Senate of Georgia, the subjoined resolution was offered on the 18th ultimo; and the editor of the Georgia Statesman says he is informed it "will pass by a large majority."

Whereas Hamilton Fulton, the Chief Engineer of this State, has practiced a gross fraud on the Board of Public Works, imposing on them as his own production, a report which he has most servilely copied from a scientific work of the day! And whereas this circumstance alone is convincing evidence of his incompetence to discharge the high, important and responsible duties of Civil Engineer—

Be it therefore resolved, by the Senate and House of Representatives in General Assembly met, that his Excellency the Governor be recommended, and he is hereby recommended forthwith to discharge the said Hamilton Fulton from the service of the State.

Query.—Did this "efficient engineer" ever humbug our Board of Public Works in the manner set forth in the preamble to the above resolution? We hope some one who has access to his reports, will have the curiosity to ascertain. He received some forty thousand dollars from this state, for which he of course rendered some equivalent; and we should like to know whether that consists in his reports, or in something else as valuable.

The only article of news received by last mail, is the following—and it is news indeed. It unfortunately, however, lacks one essential attribute. Those acquainted with the Enquirer, will recollect its positive statements and assertions previous to the last election, and the veracious "letters from Washington" which so frequently burdened its columns—but all these "arts of able editors" availed nothing, as the event showed. The Enquirer's candidate came in hindmost.—Whether its present statements will be any nearer the truth, when the contest to which they relate shall be decided, time will determine. As a general remark, however, we believe it is true, that the *oids* of the Enquirer are very little worth.

From the Richmond-Enquirer.

We shall not at this time go into the next presidential election; but we have seen some late letters from Washington, which furnish the following speculations on this subject. They state that the fate of this administration is sealed. Pennsylvania is said to be fixed and immovable in opposition as the rock of ages—her governor's strange message and Mr. Barnard's election to the contrary notwithstanding. He is a decided Jacksonian. It is said that New-Jersey is no longer doubtful; and that even Kentucky will be against Mr. Adams, with the exception of Mr. Clay's own district. There are the strongest assurances that Louisiana is also against his re-election. With Georgia, then, the two Carolinas, Virginia, Pennsylvania, Tennessee, Alabama, Mississippi, Missouri, Illinois, Louisiana,

na, Indiana, and the largest proportion of Kentucky, there will be enough to defeat Mr. A. excluding 5 in Maryland, the whole of New-York, New-Jersey and Delaware. With New-York, it will be no contest: without her and Kentucky, and with New-Jersey, Delaware and five in Maryland, the same object will be accomplished.

As a counterpart to the above, we add the following, from another Richmond paper, the *Whig*. The correspondents of the two papers, it will be perceived, differ materially in their statements—the one affirming that "the fate of the administration is sealed;" the other, that it is "steadily advancing in public confidence." Both cannot be right. On which side the truth lies, let the reader decide for himself—if he can.

Extract of a letter from Washington, Dec 16.

"Mr. Randolph has not yet broken silence—he will probably speak on Mr. Holmes' resolutions and his own, presented at the last session. He is plainly in an awkward predicament—if he runs on in the wild, intemperate, and unconnected style of speaking which marked his last session's conduct, the Legislature may take it into their head to think him not possessing *sans mens in corpore sano*—if he draws in, he acknowledges one of two things, that the administration no longer deserves his abuse, or that his former abuse is deemed by himself improper. He is appointed to none of the Standing Committees, which, as he seldom or never attends a committee, is no loss to the public service.

"Gen. Jackson's prospects are believed to be next to desperate. The elections in New-Jersey, Ohio, New-York, Missouri, and in a supposed Jackson district in Kentucky, Shultze's message, the defeat of Ingham, the great diminution of Jackson votes in Pennsylvania, with many other indications in that State, show the steady advance of the administration in popular confidence. The message, too, gives no bones to chew. The opposition are down in the mouth. They will make a stand on the subject of the British Colonial Trade—but the correspondence between the two governments, so clearly puts the British in the wrong, that they will be easily driven from the ground."

FOR THE CATAWBA JOURNAL.

The labors and difficulties through which we have passed are pleasing to the recollection.

CICERO.

Mr. Editor: The individual whose genius and education enable him to take a clear retrospect of all the great events which have occurred since the earliest ages of the world, is agreeably astonished at the progress which has been made in *Mental Philosophy*, in the course of the last two or three hundred years. The gigantic mind of *Aristotle* performed wonders—His system of Logic bore sway over the minds of men for many centuries, and well it might, from its ingenuity. He was, without doubt, a man of no ordinary mind, and his great opportunities enabled him to go forward, unrestrained by penury. He was a disciple of *Plato*, and teacher of *Alexander the Great*, and was liberally patronized by his illustrious pupil. With these advantages, he persevered in a course of arduous study for twenty years! This may be at all times cited as an example of uncommon industry in literary pursuits, and is creditable to human nature. In later times, Descartes built up an ingenious system of Metaphysics, which was considered as infallible; although it, as well as that of *Aristotle*, has been set aside by the improvements of still more modern times.

Lord Bacon, Locke, Malebranche, &c. did much to shed light on Mental Philosophy, by shewing the inconsistency of certain speculations of the schoolmen, and deserve the gratitude and thanks of mankind for their valuable labors. But it seems to have been reserved for other writers to completely remove the rubbish which had held the human mind in obscurity for so many hundred years. This task has been admirably effected by Reid and Dugald Stewart, of the Edinburgh School. They have shown clearly the errors and inconsistencies of all their predecessors; and have established the most correct system of Metaphysics ever before known in the world. This system will enlighten the minds and exalt the faculties of unborn millions of human beings. How much, then, are we indebted to these illustrious benefactors of the human race.

Although it has been contended by some, that Mental Philosophy is an unimportant science, yet I am fully persuaded that no intelligent man will pretend



to doubt that upon it depend all our improvements in the Physical Sciences.—What would be the state of the sciences of Law, Physic, Divinity, &c. were it not for the correct exercise of the reasoning powers? Human reason being “a ray of the eternal light,” it is certainly of the utmost importance to add to its illumination by all the means within our reach. It is also the great mark of distinction between man and the lower order of animals; and by it we are enabled to be useful to our fellow men, and to act according to the requirements of the great Architect of the Universe. Let me then recommend Metaphysical Science to the community at large, as a science which “exalts and expands the purest faculties of degenerate man.”

In the acquirement of knowledge, industry accomplishes every thing. Men of ordinary minds, by close application to study, will do wonders—while the idler, with the most brilliant genius, will lag behind without knowledge and wisdom. Industry, then, is a great virtue, as by it we can ascend the hill of Science, and sometimes enter the Temple of Fame.

QUINTILIANUS.

FOR THE CATAWBA JOURNAL.

Ye imitators! a servile herd.

ROMANCE.

Mr. Editor: The people of North-Carolina have often been represented as being under Virginia influence, and perhaps the charge may not be without foundation; although it is humbling to our pride to acknowledge it. This remark has been suggested, in consequence of observing the course pursued by the *Richmond Enquirer*, in dictating for North-Carolina, and the other States of the American Union. It is to be hoped that North-Carolina will not, in future, suffer herself to be a mere *cestui que trust* for Virginia, or that of any other State—she has long since arrived at a suitable age to put on the *toga virilis*, and manage her own affairs. The mental and physical resources of North-Carolina are eminently calculated to give her a more elevated station in our confederacy of Republics than she has yet attained to; and for her credit, I sincerely hope they may be attended to with more intensity than formerly.

It is with States as with individuals, industry and an enterprising spirit will do much. The most superficial observer of events will readily acknowledge that our State lacks that efficient spirit of enterprise which has manifested itself in New-York, &c. Our Legislators have not pursued that wise and liberal policy which has proved so honorable and beneficial elsewhere; and this may be considered as a reason, paramount to all others, why we are rather in the back ground in regard to internal improvements, &c. I do not expect as great a Canal in this state as in New-York, as nature has not done as much for our state as she has for New-York; but I do expect and sanguinely hope that our Legislature will never drop the subject of Internal Improvement until something is accomplished honorable and beneficial to our citizens.

Our past efforts were, in several respects, misdirected. Our operations should have commenced at the mouths of the rivers, or at least at the head of the navigation, and the funds expended in making the rivers navigable as far up stream as possible; by this process some benefit would be derivable from the funds expended. Judge Murphy has shewn, very plainly, why the operations were not carried on as above suggested. The stockholders would have their funds applied in opening the river near their respective places of abode! And this was done accordingly, and has, (so far as respects the Yadkin,) proved useless. These unfavorable circumstances should not deter us from renewed efforts. We have gained something in the school of experience, which may be turned to future profit.

While on the subject of internal improvement, I would also suggest the propriety of creating a school fund in our state, not on paper only, but to have a corporeal and beneficial existence. Here I may cite the New-England States, as an example worthy of imitation. Schools are common there in every county, and the indigent as well as the affluent are all educated. This is certainly a great blessing. Education ennobles and expands the purest faculties of fallen man, and enables him to act his part wisely in the scale of being. I would earnestly recommend this interesting subject to our legislators, and our citizens generally.

In reference to the Richmond Enqui-

rer, &c. at the commencement of this article, my intention is merely to disenthral North-Carolina from following in the wake of Virginia, in her choice of a Chief Magistrate of the United States. I wish North-Carolinians to think and act for themselves in State and National Politics. Let us not be again reproached as “humble imitators of the Ancient Dominion.”

A NATIVE CAROLINIAN.

**New York Trials.**—Among the persons whose names were implicated in the recent indictments in the City of New York, for alleged conspiracy to defraud certain money institutions, were Samuel L. Gouverneur, Esq. and General Joseph Swift. In regard to the former, a *nolle prosequi* was lately entered by the District Attorney, from a declared conviction of his entire innocence. The latter was, at his own request, separately and immediately put upon his trial. The result of a trial of one or two days has been a triumphant and honorable verdict of acquittal, rendered on Thursday last, which has been received with universal satisfaction. We cannot but think, that, in regard to these trials generally, and even in the origination of the indictments, public prejudice, highly excited, has had too influential an operation. This opinion derives strength from the fact that two-thirds of the jury that convicted some of the citizens implicated, declared in court, at the time they were impanelled, that they were prejudiced against the accused. With such a declaration, how could an impartial verdict be expected? On General Swift's trial, one gentleman was challenged for favor, and excluded from the jury, because he declared that he had examined the law, and could find nothing to convict the accused, but that he felt satisfied he could render an impartial verdict, both on the law and the evidence, as it should appear on the trial.

Stripped of all he possessed, by the explosion of a company in which he had invested it, consolation is yet left to General Swift in the reflection that his character is redeemed from even the suspicion of reproach in these transactions.

Nat. Intel.

In the afternoon of the 7th inst. Mr. Alvin Bradley, aged fifty, rode from his residence, in the west part of Hamden Conn. to the Steps, (so called) on the turnpike road to Farmington, where he intended to transact some business at Kimberly's store, or at the mill. The workmen on the Canal were blasting rocks at the Steps. Notice being given that there was to be a discharge, Mr. B. ran to a horse shed to stand by his horse, which he feared would be frightened and break from his fastening. The shed was ten rods from, and faced opposite to, the rock; but unfortunately a stone, (which is said to weigh 700 lbs) was thrown so far as to fall on and pass through the roof of the shed, by which Mr. B. was crushed to death instantly. Mr. B. was a very respectable, enterprising, and industrious farmer. His loss is severely felt by his family and friends.

Conn. Register.

On the 2nd ult. 55 miles below Cincinnati, the boiler of the Steamboat Union burst, from which four persons were instantly killed and seven others badly wounded. The boiler having passed through her forecastle by the explosion, caused her to sink immediately.

We shall hereafter publish no marriage, unless authorized to do so, either verbally or in writing, by one of the parties or connexions. A regulation of this kind seems to be the only method of guarding against mistakes; and we are led to adopt it, from having published in our last a notice of a marriage (of Capt. Stephen Manson, to Miss Margaret Lees,) which we have since learnt is incorrect. We had previously adopted the rule, to publish no marriage but on the authority of a responsible name; but others, it appears, are liable to be misinformed as well as we.

In future, no deaths will be published in this paper, but such as are communicated, or copied from other papers.

MARRIED.

On Thursday, the 14th of December last, by Henry C. Kern, Esq. Mr. James Swisher, to Miss Mary Jacobs, all of Rowan County.

THE  
CHRISTIAN ALMANACK,  
FOR THE YEAR OF OUR LORD

1827,

Calculated for the Meridian of Raleigh.  
For sale at this Office.

House of Entertainment,



AND Stage House, at the sign of the Eagle, in Charlotte, North-Carolina, by 1a136 ROBERT WATSON.

#### LIST OF LETTERS

Remaining in the Post Office at Charlotte, N. C. January 1, 1827.

A. Amos Alexander, James Asbury 3, Maj. Thos. Alexander, James Ames 3, Joseph Armstrong, Malinda Alexander, Isaac or Dan Alexander.

B. James Black, Jacob Bostain 2, John Buoy, William Bostwick 3, Matthew Bain, John Black, Upton Byram, Richard Boilles, Polado Brinkle, James Boys, Zachary Barnes, Marian Black.

C. Fleet Cox, Dr. David T. Caldwell, David Cross, Messrs. Coleman & Greer, John Caston, David Colter, Harvey Cannada, Capt. Cook.

D. John A. Dickson, Jacob Dewlin, Elizabeth Daniel, Robert Dinkins, Daniel Dougherty, Lewis Dinkins.

E. Charles Elms, jr. Richard C. Edmonson.

F. Joseph Flinn 2, William Flinn, John Faires, H. Foster, Nancy Flowers, James Ferrier, Robert Faires, Moses V. Grant, Daniel Gallant 2, Col. Thos. Greer, jr.

G. William Hutchison, Daniel Hyams, Dr. Saml. Henderson 2, John Hipp, William Harris, Henry Hartis, John Hartgrove, Elam Hunter, Henry Hoover, Sarah W. Kinchell, Ephraim Kendrick, David S. Karr, Margaret A. Lowrie, 2 Jean Lemmond, William Luckey, John Lowry.

H. Hugh McLure, Ann McLure 2, William McGhee, Daniel McGill, Joseph McShaffey, Alex. Monteith, Wm. McCord, Thomas Moore, James Morrison, Matthew Miller, David M'Daniel, Eliza McKee, Philemon Morris, Benjamin Morrow, Robert McKinley, Mary Nowlin, Herman S. Noble, O. Nathan Orr, P. Maria Newby.

Joseph Pritchard 3, Rev. Walter S. Pharr, Thomas Park, John Peoples, Washington Plummer, Col. William Porter, Samuel Porter, Catharine Pharr, Wm. L. Patton, R. Dr. Joseph Ross, Joseph Reed, John Rogers, Amelia Russ, Alex. Robison, William Rives, John Roberson, William Robison, S.

Sh'ff. of Mecklenburg 2, Hugh Smith, Richard Springs, Green Smith, Hugh & Eli Stewart, John Scritt, William P. Springs, Joseph Sample, William Smith, Elizabeth Shields, William Smith, Elijah B. Setzer, Maria W. Taylor, Henry Tanson, W. P. Waugh, Robert Watson, Isaac Wilson, Margaret Wilson, Francis Wilson, Rev. John M. Wilson, 2 James Wilson, William Walker, WM. SMITH, P. M.

133—3415

#### LETTERS

Remaining in the Post Office in Lincolnton, N. C. 1st January, 1827.

A. Henry Asbury, Martha Abernathy, Bartholomew Abernathy.

B. Pride Bradshaw, Jacob Burns, Joseph Brotherton, Henry Butts, Joshua Beam, Mary Baker, William Bolls, Francis Beattie, John Baird, Henry Banich, William Beal, Mathias Baringer, James Blakely, John Butts, Rev. David Balew, John Bandy, David Borkout, Thomas Crow, Daniel Callis, Daniel Cam, John Carpenter, D.

George Detherow, Forney & Abernathy, G.

Robert Gasten, Philip Gross 2, John Gibson, Daniel Hudson, Philip R. Hoyle, Henry Hoss, Henry Hoover, I. Sarah Isler, Mrs. Mary H. Irby, K.

Jacob Killian, James Kingcade, Thos. Kendrick, L. Jacob Lutz 2, Peggy Lawrence, Samuel Louts, Michael Link, Levi Lockman, Isaac Lawrence, John Murphy, Samuel Martin 2, P. & R.

James Pattillo, John Rankin, Jonas Badler, Dr. E. Reese, Paul O. Reese, William Roberts, John Reynolds, David Russel, James Ramsey, Catherine Robison, James Runney, Henry Roop, S.

John Speck, George Summey, John Self, Martin Shuford, John Smith, John Sanders, Abner L. Sherrill, T. Conrad Tipps, Catharine Thornbury, David Thornbury, V. & W. John Vickers, H. L. Willis, D. REINHARDT, P. M.

70—115P

#### Notice

IS hereby given, that the sale of the White House, and of the land contiguous thereto, is postponed until the 20th day of January next, when we, the undersigned executors of the late Robert Simonton, will sell absolutely, the above land which contains about

700 ACRES.

This sale is made in pursuance of a decree of the Court of Equity of this county; and a credit will be given of one and two years to the purchaser. Persons desirous of purchasing a farm in a healthy country, and in the centre of good society, would do well to attend this sale.

GEORGE L. DAVIDSON, THEOPHILUS FALLS, ISAAC CAMPBELL, JAMES CAMPBELL.

Iredell Co. Dec. 14, 1826—G115

#### POST OFFICE, CHARLOTTE, 2

January 6, 1827.

THOSE indebted to this Office, either for Letter or Newspaper Postage, are requested to call, without delay, and settle their respective dues. Such as do not attend to this notice, must not expect any farther credit. In no case, hereafter, will a letter be delivered until the postage is paid, except to such as have regular accounts; and accounts will be kept with those only who live within a convenient distance, are known to be punctual, and whose postages are sufficiently large to warrant the trouble.

Those who receive newspapers through this Office, and neglect to call and pay the postage due on them, must expect to have their papers retained hereafter, unless the postage is paid quarterly in advance. In respect to such, the subjoined instruction from the General Post-Office will be strictly adhered to:—

“Experience has proved how inattentive many people are to the payment of such small debts as arise from trusting the postages of newspapers; you are therefore not to give credit. To save in future any trouble or inconvenience, it will be proper for you to require the subscribers who receive papers through your office, at the commencement of every quarter, to pay the amount of one quarter's subscription in advance, and without such payment in advance, not to deliver them any newspapers, even though they tender you the money for them singly.”

3t15

#### Notice.

AS the subscriber intends shortly to move from this place, he wishes all who are indebted to him, to make immediate settlement. Those who cannot settle with cash, can have an opportunity of settling by giving their notes, if application be made before the next February court. After that, all book accounts will be placed in the hands of an officer for collection. Those who are indebted to the association of McKenzie & Caldwell, must make immediate payment, as a further indulgence need not be expected.

DAVID T. CALDWELL.

Charlotte, January 4, 1827.—3t15

#### DISSOLUTION.

THE copartnership heretofore existing under the firm of COOPER & M'GINN, is this day dissolved by mutual consent. All persons who stand indebted to said firm, are called on for immediate payment, as longer indulgence will not be given.

ADAM COOPER,

AMZI M'GINN.

Charlotte, Jan. 1, 1827.—3t15

#### Drugs, Medicines, &c.

HAVILAND & ASHFIELD

OFFER,

AT 304, KING-STREET,

AN EXTENSIVE ASSORTMENT OF

Drugs & Medicines.

—ALSO—

108 Kegs White LEAD, warranted pure, 385 Do. do. good,

160 Do. Spanish Brown, 80 Do. Venetian Red, 20 Bbls. Whiting, English, 25 Do. Linseed Oil, Philadelphia, 10 Hhds. Copperas, 18 Kegs Verdigris, 75 Do. Yellow Ochre,

1200 Lbs. Putty, in bladders, 4 Bbls. Copal and Japan Varnish, 8 Bbls. Spirits of Turpentine, 4 Hhds. Lamp Black,

407 Boxes Window Glass, embracing all sizes, from 7 by 9, to 22 by 28. Logwood in stick and chipped; chipped Camwood; Nicaragua; Fustic; Redwood; Indigo, Spanish and Carolina;—Fullers' and Dyers' articles of all kinds.

H. & A. can inform Merchants and other Dealers, that they are daily receiving additions to their stock from their house in New-York, and fancy that inducements are afforded to purchasers to call as above.

Charlotte, Dec. 20, 1826.—Smift25.

#### Clerks of the Superior Courts,

AND other gentlemen holding subscriptions to the NEW MAP OF NORTH-CAROLINA, are requested to return the same by the 1st of January next. They will be so good as to present them, in the mean time, to such persons as will be likely to patronize the work, who have not had an opportunity of doing so already. The price to non-subscribers will be \$10. Very few, however, more than those subscribed for, will be printed. To remove any objection that may be urged against subscribing, the publisher wishes it to be understood, that none of the subscribers will be held bound, if the MAP is not correctly drawn, finished in the best manner, and of the best materials.

From the returns already received, the publisher is warranted in believing, that a subscription of not less than one thousand names will be obtained in North-Carolina, among whom are, His Excellency the Governor, all the Officers of the State Government residing at the metropolis, the Members of both Houses of the Legislature, a liberal proportion of the Professional Gentlemen, a large number of that most respectable class of citizens, the Farmers, and generally the Merchants and Traders of our Towns, to whom a correct Map of the State is particularly desirable.

The publisher takes this opportunity to acknowledge his obligations for the polite attention which has been uniformly paid to his applications for assistance in the prosecution of his work, and especially to those gentlemen who have interested themselves in procuring the surveys of the several counties. Any information calculated to benefit the work will be thankfully received.

JOHN MAC RAE.

Fayetteville, Dec. 18, 1826.—2t13.

#### Public Sale.

WILL be sold, on Tuesday, the 9th of January next, at the late dwelling of Oswald Alexander, deceased, the perishable property of said deceased, consisting of

Horses, Cattle, Hogs, Sheep, &c.

A reasonable credit will be given, purchasers giving bond with approved security.

ISAAC CAMPBELL, Adm'r.

Dec. 21, 1826.—3t15.

#### THE MARKETS.

Fayetteville, Dec. 27.—Cotton, 9 a 9; Bacon, 14; Coffee, 17 a 19; Corn, (old) 50 a 70—new, 50 a 60; Flour, 54 a 61; Iron, 54 a 61; Lard, 12; Molasses, 42 a 45; Nails, 7 a 8; Sugar, common, 10 a 10;—prime, 11 a 12; Salt, Liv. 80 a 90—T. Island, 75 a 80; Wheat, 1.05 a 1.10; Whiskey, 50.

Cheraw Dec. 28.—Cotton, 8 a 9; Corn, 65 a 75; Bacon, 12; Flour, 7 a 9; Lard, 12 a 15.

Camden, Dec. 30.—Cotton, 8 a 9; Corn, 60 a 75; Bacon, 12 a 15; Brandy, peach, 65 a 75—apple do. 60 a 65; Beeswax, 25 a 28; Coffee, 18 a 23; Flour, 7 a 8; Iron, 64 a 7; Molasses, 50 a 56; Sugar, brown, 11 a 14; Salt, 75 a 87; Wheat, 1, 25 a 1, 50.

Charlotte, Dec. 26.—Cotton, 10; Bacon, 8 a 9; Beeswax, 26 a 28; Apple Brandy, 38; Corn, 60 a 65; Coffee, prime green, 17 a 18; inferior to good, 13 a 16; Iron, 44 a 51; Molasses, 30 a 34; Sugar, brown, 8 a 9; Muscovado, 9 a 10; Salt, Liv. 42—T. Island, 50; Whiskey, 36 a 37.

N. Carolina Bank Bills—1½ a 2 per cent. discount.

Georgia do.—1 a 1½ per cent. discount.

#### Negro Hiring.

I WILL hire, on the tenth day of January next, at the house of Mrs. Obedience Dinkins, a number of likely negroes, until the 1st of January, 1828.

NAT. T. GREEN.

Dec. 19, 1826.—3t15.

N. B. I have left all my notes in the hands of Washington Morrison, Esq. for settlement.

#### Payment must be made.

ALL persons indebted to the subscribers, either by note or book account, are requested to settle the same immediately, as a farmer can as well manage his farm without provisions, as a merchant carry on his business without money. Those who neglect this friendly notice, will next be reminded of their obligations by a tap on the shoulder.

DAVID PARKS.

Charlotte, Dec. 21, 1826.—3t15.

#### State of North-Carolina.

LINCOLN COUNTY.

David Blacklock, } Petition for Divorcet.  
vs.  
Nancy Blacklock.

IT appearing to the satisfaction of the Court, that Nancy Blacklock, the defendant, is not an inhabitant of this State: It is therefore ordered by court, that publication be made three months in the Catawba Journal, giving notice to her, that she make her personal appearance before the Judge of our Superior Court of Law, at the next court to be held for the said county of Lincoln, at the Court-House in Lincolnton, on the 4th Monday after the 4th Monday of March next, then and there to answer or demur to the said petition; otherwise it will be taken pro confesso, and heard ex parte, and adjudged accordingly.

Witness, Lawson Henderson, Clerk of said Court, at Lincolnton, the 4th Monday after the 4th Monday of September, A. D. 1826, and in the 51st year of our Independence.

LAWSON HENDERSON.

3m't 20.—pr. adv. \$4.

#### State of North-Carolina,

RUTHERFORD COUNTY.

Superior Court of Law, October Term, 1826.

John Bradley, } Petition to va-

vs.  
Joshua Souther and the heirs } cate a grant.

IT appearing to the satisfaction of the Court, that Samuel Lowrie and wife, Susanah Lowrie and John F. Miller, the heirs and representatives of John Miller, deceased, are not inhabitants of the State: It is therefore ordered by Court, that publication be made for six weeks in the Catawba Journal, for them to be and appear at our next Superior Court of Law, to be holden in Rutherford County, on the 3d Monday after the 4th Monday in March next, then and there to plead, answer or demur; that said petition will be taken pro confesso and heard, as to them, ex parte. Witness, James Morris, Clerk of said Court, at office, this 14th November, A. D. 1826. JAMES MORRIS, Clerk.

6t14—pr. adv. \$3.

#### State of North-Carolina,

RUTHERFORD COUNTY.

Superior Court of Law, October Term, 1826.

John Bradley, } Petition to va-

vs.  
Reuben Searsey and the heirs } cate a grant.

IT appearing to the satisfaction of the Courts that Samuel Lowrie and wife, Susanah Lowrie and John F. Miller, the heirs and representatives of John Miller, deceased, are not inhabitants of the state: It is therefore ordered by court, that publication be made for six weeks in the Catawba Journal, for them to be and appear at our next Superior Court of Law, to be held in Rutherford County, on the 3d Monday after the 4th Monday in March next, then and there to plead, answer or demur; that said petition will be taken pro confesso and heard, as to them, ex parte. Witness, James Morris, Clerk of said Court, at office, this 14th November, 1826. JAMES MORRIS, Clerk.

6t14—pr. adv. \$3.

#### Public Entertainment.

THE subscriber informs his friends and the public, that he has purchased that well known establishment, lately owned and occupied by Dr. Henderson, and is now prepared to entertain travellers and others, who may please to call on him; and no exertions will be spared to render them comfortable, and their stay agreeable. His table will be furnished with every variety which the country affords; his bar with the best of liquors; and his stables with plenty of provender, and careful servants will be in constant attendance.

ROBERT L. DINKINS.

Charlotte, April 20, 1826. \*30

#### Ruffner's Strictures.

JUST PUBLISHED, and for sale at this office, “Strictures on a book, entitled, ‘An Apology for the Book of Psalms, by Gilbert McMaster.’ To which are added, Remarks on a book, [by Alexander Gordon] entitled ‘The design and use of the Book of Psalms.’ By HENRY RUFFNER, A. M. With an Appendix, by JOHN M. WILSON, pastor of Rocky River and Philadelphia.



(Continued from first page.)

2. That the British Government was satisfied, and actually offered, that the intercourse should continue restricted to the direct voyage, as it then was by the respective laws of the parties; that is to say, that an American vessel, clearing from the British West Indies with their produce for an American port, should be required to land her cargo in such port; and, on the other hand, a British vessel, clearing from the United States, with their produce, for a Colonial port, should be required to land her cargo in such port.

But, thirdly, the point on which the parties could not then agree, was, that the United States insisted that American produce should be admitted into the British Colonial ports, upon the same terms as similar produce received from any where else; that is, either from a British possession or any foreign country.

Such an equal admission of our produce was contended for, in pursuance of the enactments of the Congress of the United States in the act of March, 1823.

Thus the two parties amicably separated, I repeat, with the perfect understanding of each, that the negotiation, in which such encouraging progress had been made, should be resumed and bro't to a final conclusion at some future day. To that renewed negotiation the U. S. had invariably looked, with the confident hope that, when the parties again met, they would be able to reconcile the only difference which obstructed an adjustment. They never could have dreamt that, without the smallest previous notice, and at the very moment of the arrival in England of a new American Minister, fully prepared to resume the negotiation, it was to be suddenly arrested, and the new grounds for the first time, taken, that the subject itself was of a nature to admit of no negotiation. — Entire confidence being reposed on the resumption of the negotiation, as the means on which both parties relied, upon the recall of Mr. Rush, in the Spring of 1825, Mr. King was sent to replace him, fully empowered to treat on all the subjects (including the colonial trade) of the previous negotiation. He was instructed, in the first instance, as being a subject of more pressing urgency, to invoke the interposition of the British Government to remove the impediments to the execution of the St. Petersburg Convention, which had been created by the British Commissioner at Washington. And he was informed that his instructions on the objects of the suspended negotiation should be transmitted to him in time again to open it. They would have been so transmitted, but that, upon his arrival in England, in the month of June, 1825, he was indisposed; that he learnt that His Britannic Majesty, was ill, and that Mr. Canning was also unwell; and moreover, that the British Cabinet was dispersed over the island, or upon the continent, in the pursuit of health and recreation. Happily, His Britannic Majesty, and his principal Secretary of Foreign Affairs, were restored to health. The British Cabinet did not reassemble until the Autumn of 1825, and Mr. King unfortunately remained feeble and unwell up to the period of his return to the United States, in consequence of his indisposition. If his instructions were not forwarded to him, it was because it was known that he was engaged in discussions respecting the St. Petersburg Convention, and it was believed that his languid condition did not admit of his entering upon the discharge of the more arduous duty of resuming the suspended negotiation. It would now seem to have been altogether useless to have transmitted them, the British Government having made up their mind, from the passage of the act of Parliament of July, 1825, to close the door of negotiation. Such a purpose was never hinted to the Government of the United States. On the contrary, as late as 22nd March, 1826, Mr. Vaughan addressed an official note to this Department, in which he stated, "I have received instructions from His Majesty's Government to acquaint you, that it is preparing to proceed in the important negotiations between that country and the United States, now placed in the hands of the American Minister in London; Mr. Huskisson has been already introduced to Mr. R. King, as His Majesty's Plenipotentiary, and the Minister of State, having the department of Foreign Affairs, has received His Majesty's commands to associate Mr. Addington, late His Majesty's Charge d'Affaires, in America, with Mr. Huskisson, as joint Plenipotentiary on the part of Great Britain.

"The negotiations will, therefore, be forthwith resumed, and it will be for the Government of the United States to judge whether, considering the state of

the health of Mr. Rufus King, which Mr. Canning laments to say has been, since his arrival in England, far from satisfactory, will join any other negotiation in the commission with him." If the British Government had then intended to bar all negotiation, in respect to the colonial trade, no occasion could have been more fitting than the transmission of that note, to communicate such intention. So far from any such purpose being declared, it is formally notified to the American Government that the British Government is preparing to proceed in the important negotiations, &c. and that the negotiations will be forthwith resumed, [of course including the colonial trade.] It appears, from the same note, that the British Government was perfectly acquainted with the feeble condition of Mr. King, and therefore made the friendly suggestion of associating some other person with him to conduct the negotiation. Mr. Vaughan was verbally informed that we should prepare, as soon as practicable, to renew the negotiation, and that the state of Mr. King's health would be taken into consideration. The President did deliberate on it, and your willingness to be associated with Mr. King, in that public service, was ascertained.

In the mean time, and before the necessary arrangements could be made for your departure, a letter from Mr. King, under date the 21st day of March, 1826, was received, desiring permission to return, which was promptly granted, and you were immediately appointed, by and with the advice and consent of the Senate, to succeed him. Without any unnecessary delay, you proceeded on your mission, charged with instructions, framed in the most amicable spirit, to renew the suspended negotiation in all points.

It is now necessary to turn back to the British act of Parliament of July, 1825. That act has never, to this moment, been officially communicated to the American Government by that of Great Britain, and it reached us only through other channels.

We did not suppose, whatever may be the general terms of its enactments, that it was intended to be applied to the U. States, until, at least, the experiment of the renewed negotiation should have been tried, and should have failed. We entertained that supposition because both parties, by all their correspondence and public acts, appeared to regard the renewed negotiation as the means of settling the existing difference. We had other cogent reasons for that supposition. If the British Government intended irrevocably to abide by the conditions which the act of Parliament prescribed, we believed not only that it would have been officially communicated, with a notification to that effect, but that the British Minister would have been instructed to give such information as might be necessary to enable as early to comprehend its provisions.

This information to a foreign government could not be deemed altogether unreasonable in respect to an act of Parliament, extremely complicated, spread out into eighty-six sections, besides various tables, and which was accompanied by a contemporaneous act relating to the same subject, also containing numerous provisions, and both referring to other acts of Parliament, the titles of some of which are not even recited. Not only was no such information ever communicated, but you will perceive, from the accompanying correspondence with Mr. Vaughan in the last month, that up to that time, he was not provided with instructions to afford a satisfactory answer to the inquiry, whether, according to the British interpretation of the act of Parliament, American vessels may trade between the British Colonies and foreign countries, other than the United Kingdom, in like manner with British vessels; and whether all discriminating duties and charges imposed, either by the local authorities, or by the British Parliament, between vessels of the United States and British vessels, have been abolished.

The importance of the latter inquiry was increased by information which had reached us, that, lately, during the present year, the government of Nova Scotia had passed an act, by which American vessels were subjected to higher duties or charges than British. That we sincerely believed that negotiation, and not legislation, was the means by which it was expected an arrangement was to be effected by the parties, will further appear from a letter addressed by me, on the 25th day of December, 1825, to a member of Congress, a copy of which is herewith transmitted. In that letter the opinion is expressed that the British Government could not have intended to apply the act of Parliament of 5th July, 1825, to the intercourse between the United States and the British Colonies, because, 1st, it would be inconsistent with professions made by that Government to this, and with negotiations between the two Governments contemplated, if not yet resumed; 2dly, no notice has been given at Washington, or at London, of such a purpose as that which, for the first time, is indicated at Halifax; 3dly, the British Minister here is unadvised by his government of any intention to close the Col-

onial ports against our vessels; and 4thly, no information has been received here from any British Colonial port, except Halifax, of such intention.

This letter was published in the American Gazette; a copy of it was furnished to Mr. Vaughan, which he is understood to have transmitted to his government. And it is believed to have had some effect in producing the revocation of an order of the local government, by which the port of Halifax was to have been closed against vessels of the United States from the 5th of January last. The order was, in fact, from whatever cause, revoked. And as that port, and all other British Colonial ports, remained, after that day, open to our vessels, we were confirmed in the belief that the act, in the present state of the relations of the two countries, was not intended to be enforced on the commerce of the United States. The belief was further strengthened by the terms of the 4th section of the act, which are: "And whereas, by the law of navigation, foreign ships are permitted to import into any of the British possessions abroad, from the countries to which they belong, goods the produce of those countries and to export goods from such possessions to any foreign country whatever: And whereas, it is expedient that such permission should be subject to certain conditions; be it therefore enacted, that the privileges thereby granted to foreign ships, shall be limited to the ships of those countries which, having Colonial possessions, shall grant the like privileges of trading with those possessions to British ships, or which, not having Colonial possessions, shall place the commerce and navigation of this country, and of its possessions abroad upon the footing of the most favored nation, unless His Majesty, by his order in Council, shall, in any case, deem it expedient to grant the whole, or any of such privileges to the ships of any foreign country, although the conditions aforesaid shall not, in all respects, be fulfilled by such foreign country."

Now His Britannic Majesty was thereby authorized, by his order in Council, if he should in any case, deem it expedient, to grant the whole, or any of the privileges mentioned in the section, to the ships of any foreign country, "although the conditions aforesaid shall not, in all respects, be fulfilled by such foreign country." This investment of power in the Crown to dispense with a strict compliance with the conditions of the act, in relation to any Powers like the United States, not having colonies, seemed necessarily to imply discussion, and consequently, negotiation, with such Powers. It is not the object, in bringing forward the facts and observations which have been stated in vindication of the American Government, to convey any reproaches against that of Great Britain, or account of the late unexpected resolution which it has taken. These facts and observations, however, show that it ought not to excite any surprise that the Congress of the United States declined legislating on a matter which it appeared to them was both most fitting in itself, and preferred by Great Britain, to be settled by mutual and friendly agreement. When deliberating on the only proposition which was made during the last session, that of a simple repeal of all discriminating duties, which it now appears would have been unavailing, and would have fallen far short of British expectations, they were unaware that they were acting under the pains and penalties of a British act of Parliament suspended over their heads: a non-compliance with the strict conditions of which subjected the United States not only to the forfeiture of all intercourse with the British Colonies, but was to be attended with the further consequence of terminating all negotiation even between the parties.

I will now proceed to a consideration of the specific conditions required by the act of Parliament, the non-fulfilment of which is the professed ground of the late British order in Council. These conditions are understood to be contained in the fourth section of the act which begins by reciting, "And whereas, by the law of navigation, foreign ships are permitted to import into any of the British possessions abroad, from the countries to which they belong, goods the produce of those countries, and to export goods from such possessions to be carried to any foreign country whatever: And whereas, it is expedient that such permission should be subject to certain conditions." It then proceeds to enact, in respect to countries not having colonial possessions, "That the privileges thereby granted to foreign ships shall be limited to the ships of those countries (not having colonial possessions) which shall place the commerce and navigation of this country, and of its possessions abroad, upon the footing of the most favored nation, unless His Majesty, by his order in Council, shall, in any case, deem it expedient to grant the whole or any of such privileges to the ships of any foreign country, although the conditions aforesaid shall not, in all respects, be fulfilled by such foreign country." In considering this act of Parliament, the first circumstance which commands attention is the marked difference which it makes in the conditions required of foreign Powers, between those which have colonies and those which have none. From the

Colonial Powers it only demands that they should grant to British ships privileges of trading with their colonies, like those which the British law of navigation grants to those Powers, of trading with the British Colonies, that is to say, that such Powers should allow to British vessels the privilege of importing British produce into their colonies, and of exporting goods therefrom, to be carried to any country whatever, except the parent country. But from the Powers having no colonies, the act demands that they should place the commerce and navigation, both of the United Kingdom and its possessions abroad, upon the footing of the most favored nation. With the Colonial Powers the act proposes an exchange of Colonial trade for Colonial trade, exclusive of the trade of the parent country. With powers not having colonies, it proposes to give the British Colonial trade in exchange for a trade between those Powers and the United Kingdom, and all its possessions abroad. From the Colonial Powers it asks nothing but mere reciprocity; which, viewing the vast extent of the British Colonies in comparison with those of any other Power, is only nominal. The act, on the contrary, is not satisfied with demanding from the Powers having no Colonies, reciprocity of privileges, but it requires that, in consideration of the permission to import their produce into the British Colonies, and to export therefrom produce of those colonies to any foreign country, except Great Britain, those powers should at once extend to the commerce and navigation of the United Kingdom, and its possessions abroad, the full measure of all commercial privileges which they may have granted to the most favored nation. It is impossible not to see that this discrimination made by the act of Parliament between different foreign powers, operates exclusively upon the United States. All the maritime states have Colonies, and, therefore, will be let into the trade with the British Colonies upon the less onerous conditions. The United States are the only Power, not having Colonies, which trades or is ever likely to trade, to any extent, with British Colonies. And, if they alone had been named in the second class of powers described in the act, the application of its more burdensome conditions would not, in that case, have been more exclusively confined to them. The trade of the United States will bear an advantageous comparison with the trade of any of the Colonial powers, either in its amount, or the value or variety of the articles which it comprehends, is greatly superior to that of most of them, and justly entitles us to demand from Great Britain as favorable terms as those which are extended to any of them. It is true, that the act holds out the idea of some mitigation of these conditions in the authority confided to the king. But on what considerations his Britannic Majesty might be induced, by his order in Council, to exercise the dispensing power vested in him, is not stated in the act itself, nor have they been disclosed by any order in Council, or in any other manner which has come to our knowledge. The very investment of such a power, I repeat, implied friendly explanations and discussions, and consequently, the means of negotiation, which the British Government now rejects as altogether inadmissible. Being, therefore, unable to ascertain the undivulged considerations which might have led to some relaxation or variation of the conditions of the act of Parliament, we are confined to an examination of these specific conditions themselves.

They require that the United States, to entitle themselves to the permission of importation and exportation which is granted by the British law of navigation, should place the commerce and navigation of the United Kingdom, and of its possessions abroad, upon the footing of the most favored nation. The first observation occurring is, that, at the very moment when the British Government is putting forth the new principle that the regulation of the trade of the parent country and of its colonies, depends upon two rules, essentially different, the one admitting, and the other excluding all consultation with foreign States; this act confounds them together, & requires not merely that we should place the British colonies upon the footing of the most favored colonies, but that, to entitle us to enjoy the privileges of an intercourse with those colonies, we must comply with the requirement of placing the navigation and commerce, both of the parent country and all its possessions abroad, upon the footing of the most favored nation.

The first difficulty which is encountered, in ascertaining the precise nature and extent of the conditions prescribed by the act of Parliament, is, that it furnishes no definition of the terms, "the most favored nation," which it employs. According to one interpretation of those terms, they import the gratuitous concession of commercial privileges. According to another, they imply the nation which enjoys the greatest amount of commercial privilege, whether granted with or without equivalents.

That the first was not the sense in which the British Government intended to use those terms, we conjectured; because, if it were, nothing remained to be done by the American Government to

bring itself within the conditions of the act of Parliament, and we apprehended that the British Government required some positive act. Great Britain, in that sense of the terms, is, in respect to the commerce and navigation both of the parent country and its possessions abroad, on the footing of the most favored nation. Whatever commercial privileges are granted by the United States to any foreign nation, by act of Congress, or by treaties, are founded upon equivalents. Holding out the principle of fair reciprocity to all nations, we neither ask, nor profess to bestow, commercial boons. Thus, in respect to alien or discriminating duties, we have not abolished them in behalf of any nation which has not professed to abolish them as to us. If they are now levied upon British vessels, coming to the United States from British colonies, countervailing duties are now also levied upon American vessels entering British colonies, and have been constantly, as Mr. Canning declares, from 1823. If the amount of American tonnage admitted to entry in British colonial ports, and of British tonnage entering American ports from British colonies, were exactly equal, the collection of duties on one side would neutralize the collection on the other. But, as there is much more American than British tonnage employed in the colonial trade, we pay a greater amount of those duties than Great Britain. And, consequently, if there were cause of complaint on either side, on account of their existence, it would be with us. It would not, therefore, have been in the first, but must have been in the second, meaning of the terms, that they are employed in the act of Parliament.

Great Britain is understood, then, to have demanded that the United Kingdom and its possessions abroad, should be allowed to enjoy, in the ports of the United States, the greatest extent of commercial privileges which we have granted, no matter upon what ample equivalent, to any foreign nation whatever. In order to ascertain the latitude of concession thus required, it is necessary to glance, and it shall be done as rapidly as possible, at the state of our commercial relations with other foreign Powers.

By the general law of navigation (see 6th vol. of the laws of the U. S. page 180,) it is enacted, that, after the 10th day of September, 1818, no goods, wares, or merchandise, shall be imported into the United States from any foreign port or place, except in vessels of the United States, or in such foreign vessels as truly and wholly belong to the citizens or subjects of that country of which the goods are the growth, production, or manufacture, or from which such goods, wares, or merchandise, can only be, or most usually are, first shipped for transportation: *Provided, nevertheless, that this regulation shall not extend to the vessels of any foreign nation which has not adopted, and which shall not adopt, a similar regulation.*

Great Britain had, long prior to the passage of that act, adopted and continues to enforce, the restriction on which it is founded; whilst almost all other nations have abstained from incorporating it in their navigation codes. A vessel, therefore, of the United States, on entering a British port, being limited by British law, to the introduction of goods the produce of the U. States, a British vessel, on entering their ports, is limited to the introduction of goods being of British produce: whilst the vessels of all other nations, which have not adopted the restrictive regulation, are allowed, on entering a port of the United States, to introduce any foreign produce whatever, by paying the alien and discriminating duties from which vessels of the United States are exempted.

By particular arrangements with various Powers, some by treaty, and others by separate but reciprocal acts of the Governments of the United States and those Powers, the alien duties of the U. States are abolished as to them; and their vessels and those of the United States, are allowed the reciprocal liberty of importation and exportation at the same rate of duty upon both ship and cargo.

Thus, by the act of Congress of January, 1824, "so much of the several acts imposing duties on the tonnage of vessels in the ports of the United States, as imposes a discriminating duty between foreign vessels and vessels of the United States is hereby suspended, so far as respects vessels truly and wholly belonging to subjects or citizens of the Kingdom of the Netherlands, of Prussia, of the imperial Hanseatic Cities of Hamburg, Lubec, and Bremen, of the Dukedom of Oldenburg, of the Kingdom of Norway, of the Kingdom of Sardinia, and of the Empire of Russia." And it enacts a like suspension of the discriminating duties on the cargo of any of the vessels of those several countries.

But it further enacts that the suspension of those duties shall "continue in behalf of each of the above-mentioned nations on condition that so long as the vessels of the United States, and truly and wholly belonging to the citizens thereof, & all goods & merchandise of the produce and manufacture thereof, laden therein and imported into any of the said nations in Europe, respectively, shall be exempted from all and every discriminating

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